



1133 Avenue of the Americas
Suite 1500
New York, New York 10036

(212) 316-9500
rkaplan@kaplanmartin.com

May 8, 2025

BY CM/ECF

The Honorable Lewis J. Liman
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Metro. Transp. Auth., et al. v. Duffy, et al., No. 25 Civ. 1413 (LJL)

Dear Judge Liman,

I write on behalf of Plaintiffs, Triborough Bridge and Tunnel Authority (“TBTA”) and the Metropolitan Transportation Authority (“MTA”), in response to the letter filed yesterday by Defendants (ECF 97) in further support of their motion to seal (ECF 65).

Defendants’ letter is improper for two reasons. *First*, it introduces new facts and arguments in favor of sealing that should have been included in Defendants’ initial two-page letter-motion. *Eletson Holdings, Inc. v. Levona Holdings Ltd.*, No. 23-CV-7331 (LJL), 2024 WL 2963719, at *5 n3 (S.D.N.Y. June 12, 2024) (Liman, J.). *Second*, Defendants’ letter is at least six pages in excess of Your Honor’s standard three-page limit. *See* Rule I.B (“All letters. . . should not exceed three single-spaced pages.”). To be sure, it was not easy for the MTA and TBTA to comply with that limitation here, but we did, *see* ECF 72. It was not appropriate for Defendants, without seeking leave, to go ahead and submit a reply that was triple the length of what Your Honor’s rules allow.

In light of the above, we request that the Court either strike the extra six pages of Defendants’ reply brief or, in the alternative, allow us to file a surreply brief of no longer than five pages by 5 p.m. on Monday, May 12, 2025. *Freeman v. Deebs-Elkenaney*, No. 22-CV-02435 (LLS) (SN), 2024 WL 3634738, at *10 (S.D.N.Y. Aug. 1, 2024).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Roberta A. Kaplan', with a stylized, flowing script.

Roberta A. Kaplan

cc: Counsel of Record (via ECF)